

REMARKS

Claims 1-50 are all the claims pending in the application. Reconsideration of the application and allowance of all claims are respectfully requested.

In the final Office action mailed October 22, 2008, the examiner rejected claims 1-14, 16, 17, 20, 22, 24-33, 35, and 38-50, while allowing claims 15, 18, 19, 21, 23, 34, 36 and 37. The examiner has now rejected and allowed the same claims, the difference being that in rejecting the claims the examiner has now relied on Takenaka et al (USP 5,585,805) instead of the previous reliance on Park, to teach measurement parameters that include time variability of the received power level. All rejections are again traversed.

The present invention involves the measuring of parameters of propagation channels between the mobile terminal and a number of fixed transceivers, transmitting to the radio network controller messages indicating at least some of the measured parameters, and the radio network controller then processing those messages.

Tiedemann does not measure or include data representing a time variability of a received power level. Takenaka et al measures time variability of a power level at the mobile stations, but there is no suggestion in Takenaka of sending this information to the radio network controller. So if the teachings of Takenaka et al were adopted, the result would be a mobile station in Tiedemann that included a velocity detector so that the mobile could adapt its received power level in the manner of Takenaka et al. But this modification would still not result in the claimed invention, which requires that a message be sent to the radio network controller containing data representing the time variability of the power level.

Finally, there is no reason apparent, and none suggested by the examiner, as to why one of skill in the art would send power time variability information to the radio network controller in Tiedemann. The radio network controller in Tiedemann has no use for this information. And, as note above, if there were some reason it wanted to know the velocity of the mobile, the mobile would simply send that velocity information.

For the above reasons, it is submitted that the invention of claim 1 would not have been obvious to one of skill in the art, and allowance of all claims is requested.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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